

The Office of the Inspector General (OIG), Department of Defense announced today that on April 11, 2001, a criminal information was filed in US District Court, Boston, MA charging Dr. Joseph S. Olstein of Lewiston, ME, with conspiracy to defraud federal health care programs and violation of the Anti-Kickback Act.

The government alleged that Olstein was involved in a scheme whereby he accepted free samples of the drug Lupron from the manufacturer, TAP Pharmaceuticals, Inc. Olstein then illegally billed federal health care programs such as Medicare and the DoD TRICARE program for the injectable drug Lupron that he had administered to patients suffering from prostate cancer. Lupron is unlike most drugs prescribed by physicians due to its status as a cancer treatment. Lupron is purchased by physicians, injected into the patient during an office visit, and then billed by the physician to third parties such as Medicare and TRICARE. The government alleges that Olstein received approximately \$40,000 to \$70,000 worth of the drug in return for doing business with TAP.

Olstein will be scheduled to make an initial appearance in US District Court, Boston, MA in the near future. If convicted, he faces a maximum penalty of up to 5 years in jail and a \$250,000 fine.